

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

JAMES W. COBB and
SHERYL D. COBB,

Plaintiffs,

v.

CIVIL ACTION NO. 1:07-0280

RAMEY MOTORS, INC., et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court is the parties' joint motion to stay proceedings in this matter, which relates to the sale and purchase of a Toyota dealership. (Doc. No. 42.) In support thereof, the parties state that,

[i]n light of the current and on going adverse publicity surrounding Toyota, the announced recall of numerous Toyota automobiles, and the continuing public disclosures regarding the performance of Toyota automobiles and possible effect these disclosures may have on the economic value of Toyota's dealerships, as well as the perception of potential jurors who may be asked to hear this case, the parties jointly seek a stay [of] further proceedings in this matter.

(Id. at 1.)

In Landis v. North American Co., the United States Supreme Court explained that

the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants. How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance.

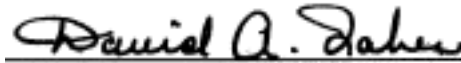
Landis v. North Am. Co., 299 U.S. 248, 254-55 (1936).

The court believes that the pendency of the issues raised by the parties justifies a temporary stay in this matter. As such, the court hereby **GRANTS** the motion to stay (Doc. No. 42) and **STAYS** proceedings in this matter pending notification by the parties that they are prepared to proceed to trial. The court further **DENIES** as **MOOT** the parties joint motion to continue. (Doc. No. 41.)

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to all counsel of record and to remove this action from the court's active docket pending further order by the court.

It is **SO ORDERED** this 7th day of April, 2010.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge